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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/868,216 06/03/97 GIORDANO III

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EXAMINER

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NGUYEN, S

ART UNIT

PAPER NUMBER

2731

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DATE MAILED:

06/26/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/868,216

Applicant(s)

Giordano III

Examiner

Steven Nguyen

Group Art Unit

2731



☒ Responsive to communication(s) filed on May 16, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-22 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☒ Claim(s) 1-20 is/are allowed.

☒ Claim(s) 21 is/are rejected.

☒ Claim(s) 22 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment filed on 11/24/99. Claim 23 has been canceled and claims 1-22 are pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (USP 5903631) in view of Dunworth (USP 5930474).

Smith discloses a method for recognizing a telephone number is not previously iconified information from a text-based information by using a parsing algorithm. However, Smith does not disclose a text-based information being an HTML page (See col 3, lines 54 to col 5, lines 21). In the same field of endeavor, Dunworth discloses a text based information being an HTML page that includes an uniconified telephone number (Fig 11).

Since Smith suggests that a user can use the Internet telephony to dial a number that display in the screen. Therefore, it would have been obvious to one of ordinary skill in the art at

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the time of the invention was made to apply an HTML page which includes an uniconified telephone number as disclosed by Dunworth into Smith's telecommunication system. Even without Dunworth's teaching one of ordinary skill in the art will recognize that a text base information is HTML page. The motivation would have been to allow a user to initiate a telephone call via Internet by one button.

Allowable Subject Matter

4. Claims 1-20 are allowed.

Regarding claims 1-20, The prior arts fail to disclose a method for recognizing a telephone number and converting the recognized telephone number into a selectable iconic telephone number by adding a code into an HTML code wherein these telephone number is not previous iconic telephone number within the structure of the claims.

5. Claim 22 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Regarding claim 22, the prior arts fail to disclose an iconifying module used by converting module for adding a code into a parsed HTML to generating a selectable iconic telephone number from a recognized telephone number.

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pandit (USP 5859636) discloses the module for recognizing the telephone number from a text based information.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on Monday through Friday from 7:30 AM to 4:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378.


The fax phone number for this group is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

STEVEN H. D. NGUYEN

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June 22, 2000


CHI H. PHAM
SUPERVISORY PATENT EXAMINER
GROUP 2700 6/23/00